

REMARKS

Applicants wish to thank the Examiner for participating in the case interview conducted on November 20, 2006. During the interview, the Examiner suggested that Applicants amend the rejected independent claims to include some of the subject matter from the allowed claims.

Claims 1, 3, 5, 7-8, 10, 12, and 14-18 are currently pending in the application. Claims 1, 3, 7, 8, 10, 12, 14, and 15-18 have been amended.

On page 2 of the Office Action, claims 1, 3, 8, 10, and 15-18 were objected to due to various informalities. Applicants have amended the claims to address the objection. Therefore, withdrawal of the objection is respectfully requested.

On page 5 of the Office Action, claims 3, 5, 7, 8, 10, 12, and 14 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Applicants have amended claims 7 and 14 to address the antecedent basis issue. Therefore, withdrawal of the rejection is respectfully requested.

The Examiner rejected claims 3 and 5 due to the language “. . . the operating frequency of each transmission line. . .” In particular, the Examiner alleged that it is unclear as to what the phrase means.

Applicants respectfully submit that it is axiomatic that claims are read in light of the specification. One of ordinary skill in the art would readily appreciate that the claim term “operating frequency” refers to a frequency at which a transmission line is used for communication. Support for the definition can be located throughout Applicants’ specification. For example, lines 4-6 of page 4 of Applicants’ specification clearly state, “. . . the frequency that the transmission lines divided into the groups are used for communications. . .” See also specification of the present invention, page 4, lines 13-15, page 5, lines 25-27, and page 5, lines 34-36.

In light of the foregoing, Applicants respectfully submit that when one of ordinary skill in the art reads the claims of the present invention in light of the specification, he or she would readily appreciate that the term “operating frequency” in claim 3, for example, refers to a frequency at which a transmission line is used for communication. Therefore, withdrawal of the rejection of claims 3 and 5 is respectfully requested.

Claims 7 and 14 were rejected due to the terms, "polling interval" and "communication interval."

Applicants respectfully submit that both terms are clear and fully supported by the specification. For example, the specification clearly states that a communication interval relates to an interval of time between the central computer's communication with a first remote node at a first time and the central computer's communication with a second remote node at a second time. See specification of the present invention, page 3, lines 16-21.

The specification clearly states that a polling interval is an interval of time between polling a plurality of monitored nodes. See specification of the present invention, page 4, lines 22-26.

In light of the foregoing, Applicants respectfully request withdrawal of the rejection of claims 7 and 14, as the terms "communication interval" and "polling interval" are clear and fully supported by the specification.

The Examiner rejected claims 1, 7, 8, 12, 14, and 15 due to the term "a communication waiting time." Applicants respectfully submit that after reading the claims in light of the specification, one of ordinary skill in the relevant art would readily appreciate that the term "a communication waiting time" refers to a time during which the central computer, for example, awaits communication with a remote node. Therefore, withdrawal of the rejection is respectfully requested.

On page 7 of the Office Action, claims 1, 7, 8, 14, and 15 were rejected under 35 U.S.C. § 112, second paragraph, as being unpatentable over U.S. Patent No. 6,507,565 (Taylor) in view of Japanese patent publication no. 10-327148 (Jun) and Japanese patent publication no. 02-131044 (Takashi).

Applicants respectfully submit that independent claims 1, 7, 8, 14, and 15 are patentable over the references, as none of the references, alone or in combination, teach or suggest a "control unit selecting nodes associated with a transmission line to be polled based on a comparison of a first ratio and a second ratio," as recited in currently amended claim 1, for example.

Although Taylor discloses a polling engine that conducts polling, no information is provided or suggested regarding the selection of nodes associated with a transmission line to be polled based on a comparison of ratios. In fact, Taylor is concerned with determining a change in status of a node and does not provide detail regarding how polling is accomplished.

Similarly, Jun does not provide details regarding the actual operation of polling. Rather,

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Jun is concerned with spacing of polling operations. See Jun, paragraph 0005. Therefore, Jun does not add any relevant information to Taylor.

As Takashi is simply concerned with a time interval required for polling, Takashi does not add any relevant information to the combination of references.

In light of the foregoing, Applicants respectfully submit that independent claims 1, 7, 8, and 14-15 are patentable over the references, as none of the references, alone or in combination, teach or suggest, "control unit selecting nodes associated with a transmission line to be polled based on a comparison of a first ratio and a second ratio," as recited in the claims of the present invention. As the dependent claims 3-5 and 10-12 depend from independent claims 1 and 8, respectively, the dependent claims are patentable over the references for at least the reasons presented for the independent claims.

In accordance with the foregoing, it is respectfully submitted that the pending claims patentably distinguish over the references and rejections of record. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

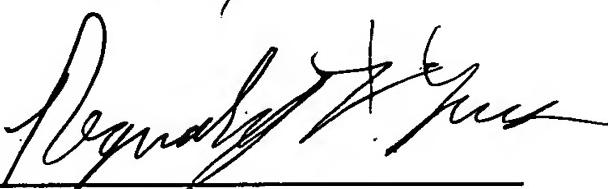
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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